

# UNITED STATES DISTRICT COURT

for the

Western District of Virginia

CLERK'S OFFICE U.S. DIST. COURT  
AT LYNCHBURG, VA

FILED

MAY 27, 2008

JOHN F. CORCORAN, CLERK  
BY: *J. Corcoran*  
DEPUTY CLERK

United States of America )

v. )

Anthony Maurice Jones )

Case No: 4:01CR70068-001

USM No: 09265-084

Date of Previous Judgment: February 27, 2003

(Use Date of Last Amended Judgment if Applicable)

) Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months is reduced to \_\_\_\_\_.

### I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: \_\_\_\_\_

Amended Offense Level: \_\_\_\_\_

Criminal History Category: \_\_\_\_\_

Criminal History Category: \_\_\_\_\_

Previous Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months

Amended Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months

### II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain): \_\_\_\_\_

### III. ADDITIONAL COMMENTS

Defendant received a reduced sentence based on the government's motion for substantial assistance. The original guideline range which the Court used to calculate Defendant's reduced sentence was not affected by Amendment 706 because the recommended guideline sentence was a statutory minimum. Amendment 706 to the United States Sentencing Guidelines does not alter statutory minimum sentences. Therefore, Defendant's is not eligible for a sentence reduction under 18 U.S.C. § 3582(c)(2).

Except as provided above, all provisions of the judgment dated 2/27/03 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: May 27, 2008

*Norman K. Moon*  
Judge's signature

Effective Date: \_\_\_\_\_  
(if different from order date)

Norman K. Moon, United States District Judge  
Printed name and title